

NICOLE CLARK

15 JUDICIAL DISTRICT COURT

VERSUS

DOCKET NUMBER: C-2020B-176

PARISH OF LAFAYETTE

WALMART, INC.

STATE OF LOUISIANA

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PETITION

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NOW INTO COURT, through undersigned counsel, comes NICOLE CLARK, resident of the full age of majority of the Parish of Lafayette, State of Louisiana, who with respect represents:

1.

Made defendant herein is:

- A. WALMART, INC., a foreign corporation licensed to do and doing business with the State of Louisiana, which at all times pertinent hereto owned the Walmart store located at 2428 West Pinhook Road, Lafayette, Lafayette Parish, Louisiana, 70508.

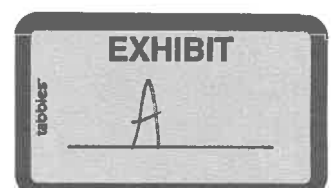
2.

On or about January 6, 2020 petitioner, NICOLE CLARK, was lawfully on the premises of WALMART, INC., located at 2428 West Pinhook Road, Lafayette, Louisiana when she suffered severe and painful injuries which resulted from sole acts and/or omissions of WALMART, INC., located at 2428 West Pinhook Road, Lafayette, Louisiana, and/or its employees acting and/or failing to act in the course and scope of their employment.

3.

Specifically, petitioner, NICOLE CLARK was standing in the Walmart store on Pinhook, in Lafayette, Louisiana, when a box fell from a stocking cart being maneuvered by a WALMART employee and onto NICOLE CLARK. Petitioner's injuries were from defendant, WALMART, INC.'S, failures/omissions in the following non-exclusive particulars:

- A. In failing to provide a safe environment for its patrons;
- B. Failure to secure dangerous inventory;
- C. In otherwise failing to maintain safe practices in transporting and/or stocking merchandise;
- D. In the failure of WALMART, INC. to properly supervise and instruct WALMART, INC. employees;
- E. In failing to secure the merchandise being transported in a manner which was safe for patrons.



4.

Defendant failed negligently to give warning of the defective condition of the premises.

5.

Upon information and belief, at this time damages sustained by petitioner is greater than \$50,000.00, exclusive of interest and costs. Petitioner reserves her right to amend this petition as treatment is ongoing.

6.

The falling box of merchandise struck petitioner causing severe and painful injuries which have resulted in past and future physical and mental pain and suffering, past and future physical disability, past and future loss of earnings and/or earning capacity, past and future loss of enjoyment of life and which have necessitated that she incur medical expenses, both past and future, all of which entitle her to recover a sum reasonable in the premises.

WHEREFORE, petitioner, NICOLE CLARK, prays that a certified copy of this complaint be served upon defendants, NICOLE CLARK, and that after due proceedings are had there be judgment herein in favor of petitioner, NICOLE CLARK, and against defendant, WALMART, INC., in a sum reasonable in the premises together with legal interest from the date of judicial demand until paid and for all costs of these proceedings.

Respectfully submitted,

BROUSSARD & DAVID, LLC



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COUNSEL FOR PLAINTIFF

**PLEASE SERVE:**

WALMART, INC.  
*Through Registered Agent for Service of Process:*  
CT Corporation System  
3867 Plaza Tower, Dr.  
Baton Rouge, LA 70816